07 CV 7406 (LTS)

ANSWER TO PLAINTIFF'S

CLAIM FOR INDEMNITY

AND CONTRIBUTION

KARDARAS & KELLEHER LLP 44 Wall Street New York, NY 10005 (212) 785-5050 Attorneys for Defendant SHENZHEN HIGH POWER TECHNOLOGY CO. LTD.

UNITED STATES DISTRICT COUR	T
SOUTHERN DISTRICT OF NEW YO	ORK

ENERGIZER S.A.,

Plaintiff,

Against : ECF CASE

M/V YM GREEN her engines, boilers and : Tackle *in rem*; YANG MING MARINE

TRANSPORT CORP.; YANGMING (UK) LTD.; :

ALL OCEANS TRANSPORTATION INC.;

KAWASAKI KISEN KAISHA LTD.; CONTERM: HONG KONG LTD.; VANGUARD LOGISTICS

SERVICES HONG KONG LTD.; FIEGE GOTH CO., LTD.; and SHENZHEN

HIGH POWER TECHNOLOGY CO. LTD.

v

Defendants.

Defendant SHENZHEN HIGH POWER TECHNOLOGY CO. LTD. ("High Power"), by its attorneys Kardaras & Kelleher LLP, as and for its answer to plaintiff's claim for indemnity and contribution contained in plaintiff's reply to counterclaim of defendants Yang Ming Marine Transport Corp. and Yangming (UK) Ltd. alleges upon information and belief as follows:

1. Denies each and every allegation contained in paragraph 12 of plaintiff's claim for indemnity and contribution.

- 2. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraphs 13 and 16 of plaintiff's claim for indemnity and contribution.
- 3. Denies each and every allegation contained in paragraphs 14 and 17 of plaintiff's claim for indemnity and contribution insofar as it refers to this defendant, and denies knowledge and information sufficient to form a belief as to any of the allegations as to the remaining defendants.
- 4. Denies that it has knowledge or information sufficient to form a belief as to any of the allegations contained in paragraph 15 of plaintiff's claim for indemnity and contribution, begs leave to refer to applicable agreements and further leaves all questions of law to this Honorable Court.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

5. Defendant High Power claims the benefit of all defenses raised by co-defendants and plaintiff in its response to cross-claims and counterclaims as well as its defenses set forth in its answer to plaintiff's complaint insofar as said defenses may be applicable to defendant High Power.

WHEREFORE, Defendant High Power prays that plaintiff's claim for indemnity and contribution be dismissed with prejudice, together with costs, disbursements and attorney's fees and for such other and additional relief as to the Court may seem just and proper.

Dated: New York, NY

February 28, 2008

Respectfully submitted,

KARDARAS & KELLEHER, LLP

44 Wall Street

New York, NY 10005 Attorneys for Defendant

SHENZHEN HIGH POWER

TECHNOLOGY CO. LTD.

By:

William F./Kardaras (WK-8835)

To:

HILL RIVKINS & HAYDEN LLP

Attorneys for Plaintiff 45 Broadway, Suite 1500 New York, NY 10006

CICHANOWICZ CALLAN KEANE

VENGROW & TEXTOR LLP

Attorneys for Defendants

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New York, NY 10016

LENNON MURPHY & LENNON

Attorneys for Defendant

FIEGE GOTH CO. LTD.

The Greybar Building

420 Lexington Ave., Suite 300

New York, NY 10170

CERTIFICATE OF SERVICE BY REGULAR U.S. MAIL AND BY ECF

The undersigned declares under penalty of perjury that the following is true and correct:

- 1. I am over the age of eighteen years and I am not a party to this action.
- 2. On February 28, 2008, I served a complete copy of SHENZHEN HIGH POWER TECHNOLOGY CO. LTD.'s Answer to Plaintiff's Claim for Indemnity and Contribution by regular U.S. mail and/or by ECF, to the following attorneys at their respective ECF registered address and/or at the following address:

HILL RIVKINS & HAYDEN LLP Attorneys for Plaintiff 45 Broadway, Suite 1500 New York, NY 10006

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New York, NY 10016

Dated: New York, New York February 28, 2008 LENNON MURPHY & LENNON Attorneys for Defendant FIEGE GOTH CO. LTD. The Greybar Building 420 Lexington Ave., Suite 300 New York, NY 10170

Dorothy A. Donnelly